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STATUTORY INSTRUMENTS

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**1989 No. 43**

**The Social Security Benefits Up-rating Order 1989**

**PART III**

**FAMILY CREDIT, INCOME SUPPORT AND HOUSING BENEFIT**

**Family Credit**

**13.** In the Family Credit Regulations –

- (a) in regulation 46(4) (determination of appropriate maximum family credit), the sum prescribed is £3,000;
- (b) in regulation 47 (applicable amount for family credit) for the sum of £51.45 there shall be substituted the sum of £54.80; and
- (c) in paragraph 19 of Schedule 2 (sums to be disregarded in calculating income), in subparagraph (b) for the sum of £6.70 there shall be substituted the sum of £7.00.

**Sums prescribed for the purpose of Family Credit**

**14.** The sums prescribed in Schedule 4 to the Family Credit Regulations (determination of maximum family credit), shall be increased as from 11th April 1989; and Schedule 4 shall accordingly have effect as set out in Schedule 2 to this Order.

**Applicable amounts for Income Support**

**15.—(1)** As from 10th April 1989 the sums relevant to the calculation of an applicable amount as specified in the Income Support Regulations shall be the sums set out in the following provisions of this article and the Schedules thereto; and for this purpose references in this article to a numbered regulation or Schedule are, unless the context otherwise requires, references to the regulations of or Schedules to the Income Support Regulations bearing that number.

(2) In regulations 17(1)(b), 18(1)(c), 21(1) and 71(1)(a)(ii), (b)(ii) and (iii), (c)(ii) and (d)(i), and in paragraph 14(a) of Part III of Schedule 2, paragraph 1(2) of Part I of Schedule 4 and paragraph 1(2) of Part I of Schedule 5, the sum specified is in each case £3,000.

(3) The sums specified in Part I of Schedule 2 (applicable amounts: personal allowances) shall be increased; and accordingly that Part of Schedule 2 shall have effect as set out in Schedule 3 to this Order.

(4) In paragraph 3 of Part II of Schedule 2 (family premium) for the sum of £6.15 there shall be substituted the sum of £6.50.

(5) The sums specified in Part IV of Schedule 2 (weekly amounts of premiums) shall be increased; and accordingly that Part of Schedule 2 shall have effect as set out in Schedule 4 to this Order.

**6)** In paragraph 11(1) of Schedule 3 (housing costs: non-dependent deductions) for the sums of £11.20, £8.20, £6.45 and £3.45 there shall be substituted the sums of £12.50, £9.15, £7.20 and £3.85 respectively.

(7) paragraph 11(2) of Schedule 3 for the sum of £49.20 there shall be substituted the sum of £52.10.

(8) In any provision of Schedule 4 (applicable amounts of persons in residential care and nursing homes) shown in column (1) of Part I of Schedule 5 to this Order, for the sum shown against that provision in Column (2) there shall be substituted the increased sum shown against it in column (3).

(9) Except as provided in paragraphs (2) and (8) of this article, the sums specified in Schedule 4 are those set out in Part II of Schedule 5 to this Order.

(10) In any provision of Part I of Schedule 5 (applicable amount of persons in hostels) shown in column (1) of Part I of Schedule 6 to this Order, for the sums shown against that provision in column (2) there shall be substituted the increased sums shown against it in column (3).

(11) Except as provided in paragraph (10) of this article, the sums specified in Part I of Schedule 5 are those set out in Part II of Schedule 6 to this Order.

(12) In any provision of Schedule 7 (applicable amounts in special cases) shown in column (1) of Part I of Schedule 7 to this Order, for the sum shown against that provision in column (2) there shall be substituted the increased sum shown against it in column (3).

(13) Except as provided in paragraph (12) above, the sums specified in Schedule 7 are those set out in Part II of Schedule 7 to this Order.

(14) The sums specified in any provision of the Income Support Regulations set out in column (1) of Schedule 8 to this Order are the sums set out in column (2) of that Schedule.

(15) In paragraph 19 of Schedule 9 (sums to be disregarded in calculating income), in subparagraph (b) for the sum of £6.70 there shall be substituted the sum of £7.00.

### **Income Support Transitional Protection**

16. Sums which are special transitional additions to income support payable in accordance with regulation 15 of the Income Support (Transitional) Regulations 1987<sup>(1)</sup> shall be increased by 4.7 per cent. of their amount apart from this Order.

### **The Relevant Sum for Income Support**

17. In section 23(5)(b) of the 1986 Act<sup>(2)</sup> (trade disputes: the relevant sum) the substituted sum is £18.50.

### **Applicable amounts for housing benefit (Housing Costs)**

18.—(1) As from a date determined in accordance with article 1 of this Order, the sums relevant to the calculation of an applicable amount and specified in the Housing Benefit Regulations shall be the sums set out in the following provisions of this article and Schedules 9 and 10 to this Order and for this purpose references in this article to a numbered regulation or Schedule are, unless the context otherwise requires, references to the regulations of and Schedules to the Housing Benefit Regulations bearing that number.

(2) In regulations 16(b) and 17(c) (applicable amounts) the sum specified is in each regulation £3,000.

(3) In regulation 18(1) (patients), for the sum of £8.25 in each place in which it occurs, there shall be substituted the sum of £8.70, and for the sum of £16.50 there shall be substituted the sum of £17.40.

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(1) S.I.1987/1969; additions to income support may be included in the Order under section 63 of the Social Security Act 1986 by virtue of the modification made by regulation 2 of S.I. 1988/961.

(2) Stated in accordance with the Social Security Act 1986 (c. 50), section 23(7).

(4) In regulation 63(1) (non-dependant deductions), for the sums of £8.20, £3.00, £3.45 and £3.00 there shall be substituted the sums of £9.15, £3.35, £3.85 and £3.35 respectively.

(5) In regulation 63(2), for the sum of £49.20 there shall be substituted the sum of £52.10.

(6) In paragraph 5(2) of Part II of Schedule 1, for the sums of £6.70, £0.80, £0.50 and £0.80 there shall be substituted the sums of £7.00, £0.85, £0.55 and £0.85 respectively.

(7) The sums specified in Part I of Schedule 2 (applicable amounts: personal allowances) shall be increased; and accordingly that part of Schedule 2 shall have effect as set out in Schedule 9 to this Order.

(8) In paragraph 3 of Part II of Schedule 2, for the sum of £6.15 there shall be substituted the increased sum of £6.50.

(9) The sums specified in Part IV of Schedule 2 (applicable amounts: premiums) shall be increased; and accordingly that Part of Schedule 2 shall have effect as set out in Schedule 10 to this Order.

(10) In paragraph 20 of Schedule 4 (sums to be disregarded in calculation of income), in subparagraph (b) for the sum of £6.70 there shall be substituted the sum of £7.00.

#### **Applicable amounts for housing benefit (Community Charge rebates)**

**19.**—(1) As from 1st April 1989, the sums relevant to the calculation of an applicable amount and specified in the Community Charge Rebates Regulations shall be the sums set out in the following provisions of this article and in Schedules 10 and 11 to this Order; and for this purpose references in this article to a numbered regulation or Schedule are, unless the context otherwise requires, references to the regulations of and Schedules to the Community Charge Rebates Regulations bearing that number.

(2) In regulations 7(1)(b) and 8(c) (applicable amounts) the sum specified is in each regulation £3,000.

(3) In regulation 9(1) (patients), for the sum of £8.25 in each place in which it occurs, there shall be substituted the sum of £8.70, and for the sum of £16.50 there shall be substituted the sum of £17.40.

(4) The sums specified in Part I of Schedule 1 (applicable amounts: personal allowances) shall be increased; and accordingly that Part of Schedule 1 shall have effect as set out in Schedule 11 to this Order.

(5) In paragraph 3 of part II of Schedule 1, for the sum of £6.15 there shall be substituted the increased sum of £6.50.

(6) The sums specified in Part IV of Schedule 1 (applicable amounts: premiums) shall be increased; and accordingly that Part of Schedule 1 shall have effect as set out in Schedule 12 to this Order.

(7) In paragraph 20 of Schedule 3 (sums disregarded in calculation of income other than earnings), for the sum of £6.70 there shall be substituted the increased sum of £7.00.

#### **Transitional**

**20.** Nothing in this Order shall affect the rate at which family credit is payable under any award running at 11th April 1989.